

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED FINANCIAL CASUALTY
COMPANY, a foreign insurer,

Plaintiff,

v.

CODE RED TRUCKING, LLC, a Washington
Limited Liability Company, ERNEST HILL
and AARIEL HILL, husband and wife,
individually and the marital community
composed thereof, ERNEST HILL, guardian for
minor children, T.H., N.H., R.H., and M.H.,

Defendants.

NO. 3:20-cv-05440 -RSL

**STIPULATED MOTION FOR STAY
OF LAWSUIT AND ORDER
GRANTING SAME**

RELIEF REQUESTED

Pursuant to LR 7(d)(1) and the following Stipulation, plaintiff United Financial Casualty Company (“UFCC”), defendant Code Red Trucking, LLC (“Code Red”) and defendants Ernest and Ariel Hill hereby move the Court for an Order temporarily staying this lawsuit until an underlying lawsuit brought by defendants Hill against defendant Code Red styled *Ernest Hill and Ariel Hill, et al v. Robin Haimes and Code Red Trucking, et al*, Pierce County (Washington) Superior Court Case. No. 19-2-08331-5 (“Underlying Lawsuit”) is resolved or until such time as the Court lifts the stay on motion from any party.

STIPULATED MOTION TO STAY LAWSUIT
AND ORDER GRANTING SAME- 1
(Case No. 3:20-cv-05440-RSL)

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STIPULATION

A factual issue in the Underlying Lawsuit is whether at the time of the motor vehicle accident forming the basis of the plaintiffs' claims against Code Red, defendant Ernest Hill was an employee of Code Red. The determination of this factual issue will impact the insurance coverage question central to this litigation. For the sake of judicial economy and in order to avoid potential prejudice to UFCC, Code Red and Ernest and Ariel Hill, it is appropriate to stay this litigation until the factual issue of Ernest Hill's employment status is finally determined in the Underlying Lawsuit.

Therefore, the parties herein stipulate through counsel of record that this litigation, including all discovery and other pre-trial and trial deadlines, should be stayed until the employment status issue in the Underlying Lawsuit is resolved. Nothing in this stipulation shall preclude the right of any party to bring a motion to lift the stay at any time. The parties agree to provide this Court with a Joint Status Report within ten (10) days of the final resolution of Ernest Hill's employment status in the Underlying Lawsuit.

DATED this 26th day of August 2020.

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Counsel for Defendants

5 *Ariel Hill & Ernest Hill*

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13 **ORDER**

14 Pursuant to the above Stipulation, it is hereby ORDERED:

15 1. That this action and all associated discovery and other pretrial and trial deadlines
16 are hereby stayed until the employment status issue in the Underlying Lawsuit identified above is
17 resolved or until the stay is lifted by further Order of this Court on the motion of any party.

18 2. The parties shall file a Joint Status Report within ten (10) days of the final
19 resolution of the employment status issue in the Underlying Lawsuit.

20 DATED this 27th day of August, 2020.

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23 The Honorable Robert S. Lasnik
24 United States District Judge